



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF BUSINESS LICENSE COMMISSION
OF THE COUNTY OF LOS ANGELES HELD IN ROOM 374A
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

Wednesday, March 30, 2011

9:00 AM

Present: President Afriat, Vice President Campbell, Commissioner Barger
and Secretary Vasquez

Call to Order

1. The meeting was called to order by President Afriat at 9:02 a.m.
2. The Pledge of Allegiance was led by Commissioner Barger.

I. ADMINISTRATIVE MATTER

3. Approval of Minutes from Meeting of March 9, 2011. (11-1155)

**On motion of Commissioner Barger, seconded by Vice President Campbell
the minutes of March 9, 2011 were approved.**

Ayes: 3 - President Afriat, Vice President Campbell and
Commissioner Barger

Excused: 1 - Secretary Vasquez

Attachments: [SUPPORTING DOCUMENT](#)

II. PUBLIC HEARINGS

4. Hearing on the Assessment for Fiscal Years 2005-2006, 2006-2007, and 2007-2008 for Waste Management of California - Audit Invoice - Business License Tax - Lancaster Landfill Disposal Facility, located at 600 E. Avenue F, Lancaster, CA 93595 in the Fifth District. (11-1371)

On behalf of the appellant Waste Management of California, Inc., Shaun M. Murphy, Marc Empey, Attorneys and Mary Freeman, Accounting Manager were present to testify. Mr. Murphy provided a brief overview challenging the Los Angeles County Treasurer and Tax Collector's Audit Invoice based on the findings and conclusions of Intelligent Directions Consulting for Audit Invoice; Tax Years: 2005-06; 2006-07; 2007-08. Mr. Murphy summarized the challenges into three main areas:

DRAFT

1. Waste Management of Lancaster is a fictitious business name under which Waste Management of California does business and delivers waste material to itself without charging a disposal fee. According to California Law the value of services a company provides to itself, under a fictitious business name or otherwise, is not included in its gross receipts.

2. The transaction between Waste Management of California and Waste Management of Palmdale is a inter-company transaction between related subsidiaries that does not involve the payment of revenue to Waste Management of California. California law has held that the inter-company transactions that do not result in actual revenue collected should not be included in gross receipts.

3. Waste Management of California does not collect or receive brokering revenue generated by Chemical Waste for transportation of waste deliveries to the landfill facility. The revenue is collected by a separate entity for brokering the transportation services.

Nai-Len Ishikawa, Assistant Treasurer and Tax Collector provided a brief overview of the audit process and the exit meeting conducted with appellant Waste Management of California, Inc. prior to sending the Audit Invoice. Sayuj Panicker, County Counsel representing the Treasurer and Tax Collector, requested additional time to review the supporting documents provided by the attorneys of Waste Management of California, Inc, to properly prepare their testimony.

On motion of Commissioner Barger, seconded by Vice President Campbell the Commission continued this matter to June 22, 2011 and instructed the parties to discuss and attempt to resolve the issue; any new documents to be shared between the parties by June 1, 2011 and the new documents be provided to the Commission by June 8, 2011. President Afriat informed all parties that the public hearings will remain open for further testimony.

Ayes: 4 - President Afriat, Vice President Campbell,
Commissioner Barger and Secretary Vasquez

Attachments: [SUPPORTING DOCUMENT](#)

III. REPORTS

5. Commissioners' Comment

The Commission reviewed the calendar for April 2011. The Commission agreed to cancel the April 6, 2011 meeting.

IV. MISCELLANEOUS

6. Public Comment

No members of the public addressed the Commission.

7. Adjournment

Adjournment for the Meeting of March 30, 2011. (11-1193)

The Commission adjourned the meeting at 11:15 a.m. The next regular meeting is scheduled for April 13, 2011.